



Ratification  
Number 2013-144

# AN ORDINANCE

AN ORDINANCE TO ADOPT AND AMEND THE BUSINESS LICENSE ORDINANCE FOR THE CITY OF CHARLESTON, SOUTH CAROLINA, ORDINANCE NUMBER 1991-153, AS AMENDED BY ORDINANCE NUMBERS 1991-194, 1992-587, 1993-448, 1994-469, 1995-565, 1996-218, 1997-455, 1998-118, 1999-176, 2000-231, 2001-116, 2002-143, 2003-109, 2004-131, 2005-671, 2006-599, 2007-238, 2008-162, 2009-259, 2010-264, 2011-296, AND 2012-403 TO ADOPT SAID ORDINANCE, AS AMENDED, AS THE BUSINESS LICENSE ORDINANCE FOR THE CITY OF CHARLESTON, SOUTH CAROLINA, FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2014. **(AS AMENDED)**

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

The City of Charleston Business License Ordinance is hereby amended by deleting the struck through text and adding thereto the following underlined words, which shall read as follows:

## **"Section 1. License Required.**

Every person engaged or intending to engage in any calling, business, occupation or profession listed in the rate classification index portion of this ordinance, in whole or in part, within the limits of the City of Charleston, South Carolina, is required to pay an annual license fee for the privilege of doing business and obtain a business license as herein provided.

## **Section 2. Definitions.**

The following words, terms and phrases, when used in this ordinance, shall have the meaning ascribed herein:

"*Business*" means a calling, occupation, profession, or activity engaged in with the object of gain, benefit or advantage, either directly or indirectly.

"*City*" means the City of Charleston.

"*Classification*" means that division of businesses by major groups subject to the same license rate as determined by a calculated index of ability to pay based on national averages, benefits, equalization of tax burden, relationships of services, or other basis deemed appropriate by City Council.

"*Due Date*" means the date and year when the income is required to be reported to the Business License Official as provided herein.

"*Gross Income*" means the total income of a business, received or accrued, for one calendar year collected or to be collected from business done within the City, excepting therefrom income earned outside of the City of Charleston on which a license tax is paid to some other municipality or county and fully reported to the City of Charleston. Gross income from interstate commerce shall be included in the gross income for every business subject to a business license tax. Gross income for brokers or agents means gross commissions received or retained, unless otherwise specified. Gross income for insurance

companies means gross premiums collected. Gross income for business license tax purposes shall not include taxes collected for a governmental entity, escrow funds, or funds which are the property of a third party and held in escrow. The value of bartered goods or trade-in merchandise shall be included in gross income. The gross income for business license purposes may be verified by inspection of returns and reports filed with the Internal Revenue Service, the South Carolina Department of Revenue, the South Carolina Insurance Commission, or other government agency.

*"License Official"* means the "Revenue Collections Division Director" or such other person designated by him or her to administer this ordinance.

*"Municipality"* means the City of Charleston, South Carolina.

*"Person"* means any individual, firm, partnership, LLP, LLC, cooperative non-profit membership, corporation, joint venture, association, estate, trust, business trust, receiver, syndicate, holding company, or other group or combination acting as a unit, in the singular or plural, and the agent or employee having charge or control of a business in the absence of the principals.

*"Real Estate Developer"* means an individual or entity who, for a fee, salary, commission, or other valuable consideration, or who, with the intent or expectation of receiving compensation, engages in any activity involving the sale, purchase, exchange or lease of land and otherwise holds himself or itself out to the public or another business entity as being engaged in any of the foregoing activities.

### **Section 3. Purpose and Duration.**

The business license levied by this ordinance is for the purpose of providing such regulation as may be required for the business subject thereto and for the purpose of raising revenue for the general fund through a privilege tax. Each license shall be issued for one year and shall expire on December 31. The provisions of this ordinance and the rates herein shall remain in effect from year to year as amended by Council.

### **Section 4. License Fee.**

a. The required license fee shall be paid for each business subject hereto according to the applicable rate classification on or before the 31<sup>st</sup> day of January in each year, except that the due date for insurance companies shall be May 31<sup>st</sup>.

b. If the due date for payment falls on a Saturday or Sunday, or a Federal, State, or City of Charleston observed holiday then payment is considered timely on the following business day. Furthermore, if the due date for payment falls during the period of a natural disaster which directly precluded the responsible party from timely submitting the payment, an additional ten (10) day extension may be granted upon written request by the responsible party to the Director of the Revenue Collections Division. A natural disaster is defined as a hurricane, earthquake, flood, or tornado. The responsible party is considered directly precluded from timely submitting payment if their offices are deemed by emergency officials to be damaged to the extent of being unsafe or unavailable for use due to the disaster or postal service to the immediate area is suspended during the due date.

c. A separate license shall be required for each place of business and for each classification or business conducted at one place. If gross income cannot be separated for classifications at one location, the license fee shall be computed on the combined gross income for the classification requiring the highest rate. A license fee based on gross income shall be computed on the gross income for the preceding calendar or fiscal year, and on a twelve-month projected income based on the monthly average for a business in operation for less than one year. The fee for a new business shall be computed on the estimated probable gross income stated in the license application for the balance of the license year. The initial fee for an annexed business shall be prorated for the number of months remaining in the license year. No refund shall be made for a business that is discontinued.

### **Section 5. Registration Required.**

a. The owner, agent or legal representative of every business subject to this ordinance, whether listed in the classification index or not, shall register the business and make application for a business license on or before the due date of each year; *provided*, a new business shall be required to have a business license prior to operation within the Municipality.

b. Application shall be on a form provided by the License Official which shall contain the Federal Employer's Identification Number, the business name as reported on the South Carolina income tax return, South Carolina Sales Tax Number, if applicable, the applicant's Driver's License Number, and all information about the applicant and the business deemed appropriate to carry out the purpose of this ordinance by the License Official. Applicants may be required to submit copies of portions of state and federal income tax returns reflecting gross income figures.

c. The applicant shall certify under oath that the information given in the application is true, that the gross income is accurately reported, or estimated for a new business, without any unauthorized deductions, and that all assessments and personal property taxes on business property due and payable to the Municipality have been paid.

d. Insurance agents and brokers shall report the name of each insurance company for which a policy was issued and the total premiums collected for each company for each type of insurance coverage on a form approved by the License Official. An insurance agent not employed by a company shall be licensed as a broker.

#### **Section 6. Collection of Insurance Fees.**

Pursuant to S.C. Code Ann. §§ 38-7-160 and 38-45-60, The Municipal Association of South Carolina is designated the municipal agent for purposes of administration of the municipal broker's premium tax. The Mayor is hereby authorized to execute an agreement with the Municipal Association for the administration and collection of current and delinquent license taxes from insurance companies as authorized by S.C. Code § 5-7-300 and the municipal broker's premium tax.

#### **Section 7. Deductions, Exemptions, and Charitable Organizations.**

a. No deductions from gross income shall be made.

b. The applicant shall have the burden to establish the right to exempt income by satisfactory records and proof. It is the intent of this ordinance that the rule laid down by the Supreme Court of South Carolina in the case of **Triplet v. The City of Chester, 209 SC 3445, 40SE 2d 684 (1946)** shall be followed.

c. A separate itemized listing showing and explaining all deductions must accompany the license application, either new or renewal, or no deductions will be allowed.

d. No person shall be exempt from the requirements of the ordinance by reason of the lack of an established place of business within the Municipality, unless exempted by State or federal law. The License Official shall determine the appropriate classification for each business in accordance with the latest issue of the U.S. Bureau of Budget Standard Industrial Classification manual. No person shall be exempt from this ordinance by reason of the payment of any other tax, unless exempted by State law, and no person shall be relieved of liability for payment of any other tax by reason of application of this ordinance.

e. A Charitable organization shall be deemed a business unless the entire proceeds of its operation are devoted to a charitable purpose.

#### **Section 8. False Application Unlawful.**

It shall be unlawful for any person subject to the provisions of this ordinance to make a false application for a business license, or to give or file, or direct the giving or filing of any false information with respect to the license or fee required by this ordinance.

#### **Section 9. Display and Transfer.**

a. All persons shall display the license issued to them on the original form provided by the License Official in a conspicuous place in the business establishment at the address shown on the license. A transient or non-resident shall carry the license upon his person readily available for inspection by any authorized agent of the Municipality.

b. A change of address must be reported to the License Official within ten (10) days after removal of the business to a new location and the license will be valid at the new address upon written notification by the License Official and compliance with zoning and building codes. Failure to obtain the approval of the License Official for a change of address shall invalidate the license and subject the licensee to prosecution for doing business without a license.

c. A business license shall not be transferable and a transfer of controlling interest shall be considered a termination of the old business and the establishment of a new business requiring a new business license. In the event of a sale or transfer of a business, the purchaser or new owner(s) may apply to the License Official for a credit for fees previously paid toward the new license fees. Upon determination by the License Official that the new business is the same as the previously licensed business, the License Official shall deduct from fees due a pro rated credit for license fees paid. The applicant for such credit shall pay an administrative fee of \$50.00, notwithstanding such credits. Such application shall be made within thirty (30) days of any transfer or sale. The transfer of any partial ownership shall be reported to the License Official.

#### **Section 10. Administration of Ordinance.**

The License Official shall administer the provisions of this ordinance, collect license fees, issue licenses, make or initiate investigations and audits to insure compliance, initiate denial or revocation procedures, report violations to the municipal attorney, assist in prosecution of violators, produce forms, make reasonable regulations relating to the administration of this ordinance, and perform such other duties as may be duly assigned.

#### **Section 11. Inspections and Audits.**

a. The License Official shall make systematic inspections and periodic audits of businesses within the Municipality to insure compliance with the ordinance. All licensees and applicants under this ordinance hereby submit to the jurisdiction of the City, its License Official, or other authorized agents for the purposes of inspections or audits of books and records.

b. For the purpose of enforcing the provisions of this ordinance the License Official or other authorized agent of the Municipality is empowered to enter upon the premises of any person subject to this ordinance to make inspections, examine and audit books and records. It shall be unlawful for any such person to fail or refuse to make available the necessary books and records. Failure to permit such inspections or audits shall be sufficient cause to deny, revoke, or suspend a license by the License Official.

c. In the event an audit or inspection reveals that the licensee has failed to pay the proper amount of fees, an audit notice shall be served by certified mail. An application of adjustment of the audit may be made to the License Official within fifteen (15) days after the notice is mailed or the audit will become final.

d. In the event an audit or inspection reveals that the licensee has filed false information or under reported its income, the costs of the audit may be added to the correct license fee. Additionally,

penalties shall be added to the outstanding fees as provided herein and each day of failure to pay the proper amount of license fee and penalty shall constitute a separate offense.

e. Financial information obtained by inspections and audits shall not be deemed public records, and the License Official shall not release the amount of license taxes paid or the reported gross income of any person by name without written permission of the licensee. The License Official may disclose gross incomes of licenses to the Internal Revenue Service, South Carolina Tax Commission or Charleston County Tax Appraiser for the purpose of assisting tax assessments, tax collections and enforcement. Such disclosure shall be for internal, confidential and official use of these governmental agencies and shall not be deemed public records.

#### **Section 12. Assessments.**

a. If a person fails to obtain a business license or to furnish the information required by this ordinance or the License Official, the License Official shall examine such records of the business or any other available records as may be appropriate, and conduct such investigations and statistical surveys as the License Official may deem appropriate to assess a license tax and penalties as provided herein.

b. A notice of assessment shall be served by certified mail. An application for adjustment of the assessment may be made to the License Official within fifteen (15) days after the notice is mailed or the assessment will become final. The License Official shall establish the procedures for hearing an application for adjustment of assessment and issuing a notice of final assessment.

#### **Section 13. Delinquent License Fees, Partial Payment.**

a. For non-payment of all or any part of the correct license fee, the License Official shall levy and collect a late penalty of five (5%) percent of the unpaid fee for the first month or portion thereof after the due date and an additional twenty-five (25%) percent for the second month or portion thereof after the due date, for a total of thirty (30) percent, and an additional five (5%) percent per month or portion thereof for the third month, and each subsequent month after the due date until paid or penalties reach a total of fifty-five (55%) percent of the correct license fee. If any license fee remains unpaid for sixty (60) days after its due date, the License Official may report it to the municipal attorney for appropriate legal action.

b. The penalty for delinquent insurance payments shall be 5% of the tax due per month, or portion thereof, after the due date until paid.

c. Penalties shall not be waived.

d. Partial payment may be accepted by the License Official to toll imposition of penalties on the portion paid; *provided*, however, no business license shall be issued or renewed until the full amount of the tax due, with penalties, has been paid.

#### **Section 14. Notices.**

The License Official may, but shall not be required to, mail written notices that license fees are due. If notices are not mailed there shall be published a notice of the due date in a newspaper of general circulation within the municipality three (3) times prior to the due date in each year.

Additionally, the License Official may, but shall not be required to, mail a written reminder that license fees are due. The written reminder should state the due date for the business license fee, the penalties for failing to pay timely and contact information for the Revenue Collections Department.

Failure to receive notice shall not constitute a defense to prosecution for failure to pay the tax and penalties due.

#### **Section 15. Denial of Business License.**

a. The License Official shall may deny a business license to an applicant when the application is incomplete, contains a misrepresentation, false or misleading statement, evasion or suppression of a material fact, or when the activity for which a business license is sought is unlawful or constitutes a public nuisance per se or per accidens. A denial shall be written with reasons therefore stated.

b. No business license shall may be issued to a business physically located in the City of Charleston until a certificate of occupancy has been applied for and issued indicating approval of the Zoning Administrator and the Building Inspector for the operation of the applicant's business at the proposed location. Applicants shall purchase a business license within five (5) days after the certificate of occupancy has been issued.

c. No business license shall may be issued to a business if that business, ~~or the agent,~~ or a principal officer of that business owes the City of Charleston for outstanding business license fees, unless a payment plan has been approved by the License Official.

d. No business license may be issued to a business if that business, or the agent, or a principal officer of that business has engaged in an unlawful activity or nuisance related to the business or to a similar business in the City or in another jurisdiction.

e. No business license may be issued to a business if that business, or the agent, or a principal officer of that business has had a business license for the business or for a similar business in another jurisdiction that has been denied, suspended, or revoked in the previous license year.

#### **Section 16. Suspension or Revocation of License.**

When the License Official determines:

1. A license has been mistakenly or improperly issued or issued contrary to law; or
2. A licensee has breached any condition upon which the license was issued or has failed to comply with the provisions of this ordinance; or
3. A licensee has obtained a license through a fraud, misrepresentation, a false or misleading statement, evasion or suppression of a material fact in the license application; or
4. A licensee has been convicted of an offense under a law or ordinance regulating business, a crime involving moral turpitude, or an unlawful sale of merchandise or prohibited goods; or
5. A licensee has engaged in an unlawful activity or nuisance related to the business;

the License Official may take actions to suspend or revoke the business license by giving written notice to the licensee or the person in control of the business within the municipality by personal service or certified mail that the license is suspended or suspended pending a hearing before the Business License Committee for the purpose of determining whether the license should be revoked. The notice shall state the time and place at which the hearing is to be held, which shall be at a regular or special Business License Committee meeting within thirty (30) days from the date of service of the notice, unless continued by agreement. The notice shall contain a brief statement of the reasons for suspension or suspension and proposed revocation and a copy of the applicable provisions of this ordinance.

#### **Section 17. Appeals and Appeal Procedure.**

a. A final assessment may be appealed to the Business License Committee only by payment in full of the assessment under protest within fifteen (15) business days of receiving the final assessment and by filing with the Clerk of Council and the License Official a written notice of appeal within fifteen (15)

business days after payment setting forth plainly, fully, and distinctly why the decision is contrary to law. The Business License Official shall have the authority to grant a one time fifteen (15) business day extension for payment in full of the assessment in cases where hardship has been demonstrated by the business licensee. The business licensee must request a hardship consideration in writing before the original fifteen (15) business day requirement for payment expires. The granting of a payment extension will automatically extend the time period for filing the appeal to fifteen (15) business days after the payment is tendered.

b. Any person aggrieved by a final decision of the License Official regarding a final audit may appeal the License Official's decision to the Business License Committee only by payment in full of the final audit under protest within fifteen (15) business days of receiving the final audit and by filing with the Clerk of Council and the License Official a written notice of appeal within three (3) years after payment setting forth plainly, fully, and distinctly why the decision is contrary to law.

c. A decision of the License Official shall be subject to appeal to the Business License committee.

d. Business License hearings requested pursuant to this section shall be scheduled within thirty (30) days after receipt of a proper request for an appeal unless continued by agreement.

e. Any person aggrieved by a final decision of the Business License Committee regarding a suspension or revocation of a business license, or a decision by the Business License Committee on a matter appealed to it in accordance with the procedures outlined in this section may appeal the decision of the Business License Committee to the circuit court in and for the county by filing with the clerk of court a petition in writing setting forth plainly, fully, and distinctly why the decision is contrary to law. The appeal must be filed within thirty days after the affected party receives actual notice of the decision of the Business License Committee.

f. At a hearing held before the Business License Committee, all parties shall have the right to be represented by counsel, to present testimony and evidence and to cross-examine witnesses. The proceedings shall be recorded and transcribed at the expense of the party so requesting. The rules of evidence and procedure prescribed by City Council shall govern the hearing. The Business License Committee with a quorum of members in attendance shall by majority vote of members present render a written decision based on findings of fact and the application of the standards herein which shall be served upon all parties or their representatives.

#### **Section 18. Consent, franchise or business license fee required.**

The annual fee for use of streets or public places authorized by a consent agreement or franchise agreement shall be set by the ordinance approving the agreement and shall be consistent with limits set by State law. Existing franchise agreements shall continue in effect until expiration dates in the agreements. Franchise and consent fees shall not be in lieu of or be credited against business license fees unless specifically provided for by the franchise or consent agreement.

#### **Section 19. Confidentiality.**

Except in accordance with proper judicial order or as otherwise provided by law, it shall be unlawful for any official or employee to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return required under this ordinance. Nothing in this section shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports or returns. Any license data may be shared with other public officials or employees in the performance of their duties, whether or not those duties relate to enforcement of the license ordinance.

#### **Section 20. Violations.**

Any person violating any provision of this ordinance shall be deemed guilty of an an offense and shall be subject to a fine of up to \$500.00 or imprisonment for not more than thirty (30) days or both, upon

conviction. Each day of violation shall be considered a separate offense. Punishment for violation shall not relieve the offender of liability for delinquent taxes, penalties and costs provided for herein.

**Section 21. Severability.**

A determination that any portion of this ordinance is invalid or unenforceable shall not affect the remaining portions.

**Section 22. Classification and Rates.**

a. The license fee for each Class of business shall be computed in accordance with the following rates. The major groups of businesses included in each Class are listed with the major group number according to the Standard Industrial Classification Manual (SIC). The License Official shall determine the proper class for business according to the SIC.

b. Unless otherwise specifically provided, all minimum fees and rates shall be doubled for itinerants having no fixed principle place of business in the City of Charleston. A construction site trailer or a structure in which the contractor temporarily resides is not deemed a fixed principal place of business.

c. If there is no SIC code for a type of business, the License Official shall determine the proper class for the business by placing it in a SIC Code using the NAICS to 1987 SIC cross-reference table."

**Section 23.** This Ordinance shall become effective January 1, 2014.

Ratified in City Council this 3rd day of December, in the Year of Our Lord, 2013, and in the 238<sup>th</sup> Year of the Independence of the United States of America.

BY:

  
Joseph P. Riley, Jr.  
Mayor, City of Charleston

ATTEST:

BY:

  
Vanessa Turner Maybank  
Clerk of Council

## Schedule of License Fees - Section 21

4000 - Railroad Companies. For the first 1000 inhabitants .....	\$35.51
For each additional 1000 inhabitants according to the last Fed census of the city. Up to a maximum total of \$2,000.00 .....	\$44.97
5813 (a) - Night Clubs, Cabarets, Taverns, Restaurants, or other similar establishments, which sell or serve beer or wine or permit the consumption of alcoholic beverages on the premises after midnight and which derive thirty-five (35%) percent or more of their gross income from the sale of beer, wine and/or alcoholic beverages.	
On gross receipts not exceeding \$25,000.00 .....	\$610.50
On each additional \$1,000.00 or fraction thereof .....	\$7.90 per Thou
5813 (b) - Restaurants which derive less than thirty - five (35%) percent of their gross income from the sale of beer, wine and/or alcoholic beverages and are open after midnight.	
On gross receipts not exceeding \$2,000.00 .....	\$46.26
On each additional \$1,000.00 or fraction thereof .....	\$2.30 per Thou

An addendum to the business license application with a breakdown of total gross income and gross income derived from the sale of beer, wine and/or alcoholic beverages is required to be filed by Class 7 - Section 5813 (a) and Class 7 - Section 5813 (b) establishments. If Class 7-5813 (b) establishments fail to submit an addendum or the addendum fails to separate total gross income from gross income derived from the sale of beer, wine and/or alcoholic beverages, the license fee shall be computed under the rate class 7-5813 (a).

## 63 - Insurance Companies

Insurance Companies: Except as to fire insurance, "gross premiums" means gross premiums written for policies for property or a risk located within the municipality. In addition gross premiums" shall include premiums written for policies that are sold, solicited, negotiated, taken, transmitted, received, delivered, applied for, produced or serviced by (1) the insurance company's office's located in the municipality, (2) the insurance company's employee conducting business within the municipality, or (3) the office of the insurance company's licensed or appointed producer (agent) conducting business within the municipality, regardless of where the property or risk is located, provided no tax has been paid to another municipality in which the property or risk is located based on the same premium. As to fire insurance, "gross premiums" means gross premiums (1) collected in the municipality, and/or (2) realized from risks located within the limits of the municipality.

Solicitation for insurance, receiving or transmitting an application or policy, examination of risk, collection or transmitting an application of a premium, adjusting a claim, delivering a benefit or doing any act in connection with a policy or claim shall constitute conducting business within the municipality, regardless of whether or not an office is maintained in the municipality.

Gross premiums shall include all business conducted in the prior calendar year. Gross premiums shall include new and renewal business without deductions for any dividend, credit, return premiums or deposit. Declining rates shall not apply.

631-632 Life, Health and Accident .....	0.75% percent of gross Premiums
633-635 Fire and Casualty .....	2% of gross premiums
636 Title Insurance .....	2% of gross premiums

Real Estate Developers will be taxed in accordance with Rate Class 6 as outlined in the Schedule of License Fees.

7371 - Computer Programming Design, 7372 Prepackaged Software Design	
First - \$2,000.00 .....	\$10.00
\$2,000.00 - 1 Million .....	55¢ per Thou
1 Million - 2 Million .....	10¢ per Thou
2 Million - 10 Million .....	5¢ per Thou
Over 10 Million .....	2.5¢ per Thou

If you have any questions or need assistance with filling out your business license application, please call the Revenue Collections office at 724-3711. Please make checks payable to the City of Charleston.

## MAILING ADDRESS

City of Charleston Revenue Collections Office  
P.O. Box 22009  
Charleston, SC 29413-2009

## PHYSICAL LOCATION

Revenue Collections Office  
75 Calhoun Street  
Charleston, SC 29401

**IF YOUR BUSINESS CLOSED BEFORE THE END OF 2013,  
PLEASE CONTACT OUR OFFICE SO WE MAY UPDATE OUR FILES.**

## Schedule of License Fees - Section 22

Class	INCOME 0-\$2,000.00	All over \$2,000.00 Rate per thousand or fraction thereof
1.....	\$ 32.12	\$ 1.45
2.....	\$ 38.55	\$ 1.95
3.....	\$ 44.98	\$ 2.40
4.....	\$ 51.41	\$ 2.90
5.....	\$ 57.84	\$ 3.40
6.....	\$ 64.27	\$ 3.85
7.....	See individual business in Class 7	

EXAMPLE OF BUSINESS LICENSE FEE CALCULATION		
Class 1 Business.....	Gross Income	\$100,000.00
First \$2,000.00.....	@ \$32.12	\$32.12
\$2,000.00 - \$100,000.00.....	@ \$1.45 per thousand	98 x \$1.45 =
		\$142.10
		+ \$ 32.12
	Total	\$174.22

Unless otherwise specifically provided, all minimum fees and rates shall be doubled for itinerants having no permanent, principal place of business in the City of Charleston. For purposes of this section, Itinerant shall be defined as a person, company, firm, partnership, corporation or entity doing business in the City of Charleston, but having no permanent principal place of business in the City of Charleston." Trailers, model homes, structures, or office spaces occupied by Contractors, Subcontractors, and Construction Managers temporarily during construction shall not constitute a permanent, principal place of business.

"Declining Rate applies in all classes of gross income in excess of \$1,000,000.00  
- excepting where noted differently -  
Less than \$1,000.00 - ½ of stated rate".

A. Amount (in Millions) Gross Income	Percent of Rate for each additional \$1,000
0 - 1 .....	100 percent
1 - 2 .....	.95
2 - 3 .....	.90
3 - 4 .....	.85
4 - 5 .....	.80
5 - 6 .....	.75
6 - 7 .....	.70
7 - 8 .....	.65
8 - 9 .....	.60
9 - 10 .....	.55
Over 10 .....	.50

A fee of \$3.00 will be charged for duplicate applications.

### CLASS 7 RATES

SIC	
4812 - Radio Telephone Communications - .....	Maximum Authorized by SC. Code Sec 58-9-2220. X gross revenues
4813 - Telephone Communications - .....	Maximum Authorized by SC. Code Sec 58-9-2220 .X gross revenues
7993 - Amusements Machines, coin operated - Not Included in gross income of businesses where located or not owned by business where located except video poker type machines.....	\$6.44

(Not to be prorated)

List of machine locations required.

7932 - Billiard or Pool Tables, all types (Not to be prorated). .....	\$6.44
4121 - Tax License .....	On Gross Income .....
.....	License Plate .....
15, 16, 17 - Contractors, Construction, Management, General-Contractor, and types -	Rate Class 5
1500 - Itinerant (No permanent, principal place of business within the city) .....	\$6.44
.....	0 - \$2,000.00 .....
.....	over \$2,000.00.....

The total fee for the amount of the contract shall be paid prior to commencement of work and shall entitle contractor to complete the job without regard to the normal expiration date, except that Itinerants performing State and Federal jobs in excess of five million dollars (\$5,000,000.00) may pay annually the business license fees equally over the terms of the contract with the first payment due prior to the commencement of work. The declining rate shall apply only to the amount of the contract reported each year.

1600 - Subcontractors Itinerant (No permanent, principal place of business within the city) - pays yearly using 1500 rates on previous years income from working in the City which doesn't require a separate permit and works under the General Contractors permit. If performing work that requires a separate permit each job must be updated before permit will be issued.	
1700 - Having place of business within the City.....	0 - \$2,000.00.....
	over \$2,000.00 .....

\$32.12  
\$1.45 per Thou

No contractor shall be issued a business license until all state and City qualifications, examination and trade license requirements have been met and all delinquent licenses paid. No contractor shall be issued a business license until all performance and Indemnity bonds required by the City Building Code have been filed and approved. Zoning permits must be obtained when required by the City Zoning Ordinance with estimated cost of construction. Each contractor shall post a sign in plain view on each job identifying the contractor with the job and shall furnish the License Inspector a list with the name, address and telephone numbers of all subcontractors.

Subcontractors shall be licensed on the same basis as general or prime contractors for the same job, and no deductions shall be made by a general contractor for value of work performed by a sub-contractor.



## City of Charleston Business License 2014 Rate Classification Index

### SEC. 21

#### Rate Class 1

##### **SIC-----BUSINESS GROUP**

- 20..... Food and kindred products
- 26..... Paper and allied products
- 28..... Chemicals and allied products
- 30..... Rubber and miscellaneous plastic products
- 31..... Leather and leather products
- 33..... Primary metal industries
- 37..... Transportation equipment
- 40..... Railroad transportation (except railroad companies)
- 51..... Wholesale trade -- non-durable goods
- 54..... Food stores
- 55..... Automotive dealers and gasoline service stations
- 70..... Hotels, rooming houses, camps and other lodging
- 79..... Amusement and recreation services (except motion pictures)

#### Rate Class 2

##### **SIC-----BUSINESS GROUP**

- 01..... Agricultural production - crops
  - 22..... Textile mill products
  - 23..... Apparel & other finished products from fabrics and similar materials
  - 25..... Furniture and fixtures
  - 29..... Petroleum refining and industries
  - 44..... Water transportation
  - 47..... Travel agencies
  - 50..... Wholesale trade - durable goods
  - 52..... Building materials, hardware, garden supply and mobile home dealers
  - 53..... General merchandise stores
  - 56..... Apparel and accessory stores
  - 57..... Furniture, home furnishings & equipment stores
  - 58..... Eating and drinking places (Except nightclubs & similar establishments under Rate Class 7)
  - 59..... Miscellaneous retail -Retail merchants
- (Non-Residents Double individual class rate. Cash Bond or Certified Check in the amount of \$500.00 required.)
- 78..... Motion pictures

#### Rate Class 3

##### **SIC-----BUSINESS GROUP**

- 24..... Lumber and wood products (except furniture)
- 32..... Stone, clay glass and concrete products
- 34..... Fabricated and metal products (except machinery and transportation equipment).
- 36..... Electrical and electronic machinery, equipment, and supplies.
- 39..... Miscellaneous manufacturing industries.
- 42..... Motor freight transportation and warehousing.
- 49..... Electric, gas and sanitary services.



## SEC. 21

### Rate Class 4

#### **SIC-----BUSINESS GROUP**

- 08..... Forestry
- 21..... Tobacco manufacture
- 27..... Printing, publishing & allied industries
- 35..... Machinery (except electrical).
- 38..... Measuring, analyzing and controlling instruments, photographic, medical and optical goods, watches and clocks
- 46..... Pipe lines, except natural gas
- 75..... Automotive repair, services and garages

### Rate Class 5

#### **SIC-----BUSINESS GROUP**

- 41..... Local & Suburban transit, & inter-urban highway passenger transportation.
- 48..... Communication, (excepting telephone companies).
- 62..... Security & commodity brokers, dealers, exchanges and services.
- 73..... Business services

### Rate Class 6

#### **SIC-----BUSINESS GROUP**

- 07..... Agricultural services.
- 09..... Fishing, hunting and trapping.
- 61..... Credit agencies other than banks.
- 64..... Insurance agents, brokers and Service.
- 65..... Real estate (owners falling under SIC Code 6514 who have four or fewer dwelling units are exempt).
- 66..... Combinations of real estate, insurance, loans, law offices.
- 67..... Holding and other investment offices.
- 72..... Personal services
- 76..... Miscellaneous repair services.
- 80..... Health services.
- 81..... Legal services.
- 82..... Education services
- 83..... Social services.
- 87..... Engineering, Accounting, Research, Management and Related Services.
- 89..... Miscellaneous services.

### Rate Class 7

#### **SIC-----BUSINESS GROUP**

- 7993..... Amusement machines, coin operated.
- 7932..... Billiard or pool tables, all types.
- 4121..... Taxi license tag.
- 1500, 1600, 1700...Contractors, construction management, general contractors, all types.

In the event, said owner, developer, sponsor, consultant, management firm or other entity to perform the functions of a general contractor, as defined by South Carolina statute or by the City of Charleston, or when said owner, developer or other sponsor performs said function itself, then in the that event, said owner, developer, sponsor, consultant, management firm or other entity shall be required to pay for business license fee for said general contracting function as contained in this ordinance.

- 63..... Insurance companies.
- 4000..... Railroad Companies.
- 5813..... Night Clubs, Cabarets, Taverns, or other similar establishments.
- 4811..... Telephone companies.



## NUMERICAL BUSINESS CLASSIFICATION INDEX

Sec. 21

SIC.	NAME	CLASS
01	Agricultural production crops .....	2
07	Agricultural services .....	6
08	Forestry .....	4
09	Fishing, hunting and trapping .....	6
15, 16, 17	Contractors, Construction Management, General Contractor, all types .....	7
20	Food and kindred products .....	1
21	Tobacco manufacture .....	4
22	Textile mill products .....	2
23	Apparel and other finished products from fabrics and similar materials .....	2
24	Lumber and wood products .....	3
25	Furniture and fixtures .....	2
26	Paper and allied products .....	1
27	Printing, publishing & allied industries .....	4
28	Chemicals and allied products .....	1
29	Petroleum refining and related industries .....	2
30	Rubber and miscellaneous plastic products .....	1
31	Leather and leather products .....	1
32	Stone, clay, glass and concrete products .....	3
33	Primary metal industries .....	1
34	Fabricated and metal products (except machinery and transportation equipment) .....	3
35	Machinery, except electrical .....	4
36	Electrical and electronic machinery, equipment and supplies .....	3
37	Transportation equipment .....	1
38	Measuring, analyzing and controlling instruments; photographic, medical and optical goods; watches and clocks .....	4
39	Miscellaneous manufacturing industries .....	3
40	Railroad transportation (except railroad companies) .....	1
4000	Railroad companies .....	7
41	Local and suburban transit, and inter-urban highway passenger transportation .....	5
4121	Taxi license tag .....	7
42	Motor freight transportation and warehousing .....	3
44	Water transportation .....	2
46	Pipe lines, except natural gas .....	4
47	Travel agencies .....	2
48	Communication, excepting telephone companies .....	5
4811	Telephone companies .....	7
49	Electric, gas and sanitary services .....	3



## NUMERICAL BUSINESS

## CLASSIFICATION INDEX

### Sec. 21

SIC.	NAME	CLASS
50.....	Wholesale trade - durable goods.....	2
51.....	Wholesale trade - nondurable goods.....	1
52.....	Building materials, hardware, garden supply, and mobile home dealers.....	2
53.....	General merchandise stores .....	2
54.....	Food stores.....	1
55.....	Automotive dealers and gasoline service stations.....	1
56.....	Apparel and accessory stores .....	2
57.....	Furniture, home furnishing, and equipment stores.....	2
58.....	Eating and drinking places (except nightclubs, etc) .....	2
5813.....	Nightclubs and similar establishments .....	7
59.....	Miscellaneous, retail .....	2
61.....	Credit agencies other than banks.....	6
62.....	Security & commodity brokers, dealers, exchanges and services .....	5
6300.....	Insurance companies.....	7
64.....	Insurance agents, brokers and service.....	6
65.....	Real Estate (owners of 4 or fewer dwelling units are exempt) .....	6
66.....	Combinations of real estate, insurance, loans, law offices.....	6
67.....	Holding and other investment offices .....	6
70.....	Hotels, rooming houses, camps and other lodging .....	1
72.....	Personal services .....	6
73.....	Business services .....	5
75.....	Automotive repair, services and garages .....	4
76.....	Miscellaneous repair services .....	6
78.....	Motion pictures .....	2
79.....	Amusement and recreation services (except motion pictures) .....	1
7932.....	Billiard or pool tables, all types .....	7
7993.....	Amusement machines, coin operated .....	7
80.....	Health services .....	6
81.....	Legal services.....	6
82.....	Educational services.....	6
83.....	Social services.....	6
87.....	Engineering, Accounting, Research, Management and Related Services.....	6
89.....	Miscellaneous services.....	6

**THE TAX COMPLIANCE INSPECTOR WILL DETERMINE BUSINESS CLASSIFICATION**